

Proposed Final Fishing Regulation Changes – 2008 through 2011

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To be presented to the FWP Commission, October 25, 2007. Based on public input, FWP is proposing five changes to the tentative regulations approved by the Commission at their August 2 and August 30 meetings. One new regulation is also being proposed:

- 1) The Thompson River proposal has been withdrawn;
- 2) The proposal to eliminate the artificial lures only sections on the Big Hole River have been withdrawn; and
- 3) Catch restrictions and reporting requirements for hoop netting have been changed;
- 4) The proposal to allow year-round fishing in the Lyons Bridge to McAtee Bridge section has been withdrawn;
- 5) The two fish limit on trout over 23 inches in Clark Canyon Reservoir has been reduced to one; and
- 6) A catch-and-release regulation for cutthroat trout is being proposed for a tributary to the Ruby River.

All other proposals presented here are the same as approved by the Commission in their August 2 and August 30 meetings.

Note: new language is in italics. Deleted language has a strike through it.
October 8, 2007

STATEWIDE REGULATIONS

NEW- (page 4)

Radiotagged fish

It is legal to harvest radio tagged fish. Radio tags from harvested fish must be returned to FWP. Please report the harvest of a tagged fish to the local FWP office.

Rationale: This regulation would serve to educate anglers about the use of radio tags. Recently, an angler caught a radio tagged fish a week after the transmitter was implanted. A cash reward was paid to recover the transmitter and implant it into another fish. The Wildlife Division has already addressed this issue with radio-collared animals on page 19 of the hunting regulations.

CHANGE- (page 9)

Children's Fishing Waters

Numerous waters across the state provide excellent fishing opportunities for younger anglers. A few waters have been set aside exclusively for the use of young anglers. Waters posted as Children's Fishing Waters are open to fishing during the entire year to persons 14 years of age and younger only with the exception of Indian Road Pond (see District Exceptions). ***Only one rod allowed per child.*** Children's Fishing Waters are: (there are no changes proposed to the list of children's fishing waters).

Rationale: This will make it easier to clarify who's fishing or not.

NEW- (page 11)

Indian Reservations

- Certain waters on Indian Reservations may have special rules and permits. Specific information should be obtained from Reservation headquarters.
- The State of Montana and Confederated Salish & Kootenai Tribes have entered into a cooperative agreement on the Flathead Reservation. A tribal permit is required to fish within the exterior boundary of the Reservation. Call tribal headquarters at 406-675-2700 for information.
- ***The State of Montana and the Fort Peck Tribes have entered into a cooperative agreement on the Fort Peck Reservation. A tribal permit is required to fish on waters within the exterior boundary of the reservation. Call tribal headquarters at (406) 768-5305 for information.***
- ***A State of Montana fishing license is required to fish on the Bighorn River within the exterior boundaries of the Crow Reservation. A tribal permit is not required.***

Rationale: See specifics of the Fort Peck agreement under Region 6. The new language relative to the Bighorn River is intended to clarify legal requirements because the public has expressed confusion over the matter.

CHANGE – The following will be a statewide requirement (pages 7, 22, 49, 79)

All unattended fishing devices (crayfish traps, minnow traps, fish traps, setlines, etc.) must have the angler's name, phone number or 9/10 digit ALS # attached.

Rationale: Wardens have a need to be able to contact users concerning fishing devices (especially minnow traps) to determine whether anglers are using the traps for personal use or commercial use. Also, at times, wardens are questioning whether commercial seining permittees are operating within their permit area. There may be times when anglers are unaware of unauthorized waters or equipment size restrictions and wardens will be able to address those issues

CHANGE—The following changes will be the same for all three districts (pages 23, 51 and 82)

DAILY AND POSSESSION LIMITS

Handling and Transporting Legally Taken Fish

While a person is fishing, or while on the water or on the ice:

- All fish in possession must be visibly identifiable to species.
- ~~For a species of fish where size limits apply,~~ All fish in possession must be whole with head, skin, fins and tail attached. Gills and entrails may be removed.
- ~~Fish may be dressed and filleted for immediate consumption.~~

Fish may be dressed and filleted for transport to your permanent residence, unless size limits apply, under the following conditions:

- All fish can be counted and identified. Two fillets will be counted as one fish. If the catch is frozen prior to transport, each fish must be packaged so it can be counted.
- Salmonids (trout, salmon, grayling, char and whitefish): the entire skin must be attached to the fillet for identification.
- ~~Non-salmonids: a minimum of one inch by one inch square shoulder patch of skin with scales must remain attached to each fillet for identification.~~

Rationale: The one-inch skin requirement is not helping to identify fish for enforcing daily limits. In addition, the public considers this requirement to be difficult and unnecessary, and believes that leaving skin on non-salmonids negatively affects the taste of the fish. The provision allowing immediate consumption was removed because it conflicts with the new rule requiring all fish to be identifiable while still on the water fishing or ice fishing.

WESTERN DISTRICT

CHANGE- (page 21)

METHODS OF TAKING FISH

Hook and Line Limits

Open Water

Rivers and Streams

- 1 line with 2 hooks per line, with or without a pole. The pole or line must be attended and in the anglers immediate control.

Lakes and Reservoirs

- ~~42~~ lines with 2 hooks per line, with or without a pole (~~see Flathead Lake exception~~). The pole or line must be attended and in the anglers immediate control.

Rationale: This change was made in accordance with law passed by the 2007 Legislature.

CHANGE- (page 24)

WESTERN DISTRICT STANDARD DAILY AND POSSESSION LIMITS

Whitefish – ~~20~~ ~~400~~ daily **and 40** in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined. This proposal is only intended to address Mountain Whitefish and since the Western District also has some significant Lake Whitefish fisheries where more liberal harvest is appropriate, exceptions for those lakes are noted.

CHANGE- (page 28)

BLACKFOOT RIVER AND TRIBUTARIES

Mainstem, Landers Fork mouth to Stimson Lumber Dam (Milltown Reservoir) confluence with the Clark Fork River.

- *Closed to fishing from the confluence with the Clark Fork River to about 1 ½ miles upstream, or as signed.*

~~Stimson Lumber Dam downstream to Milltown Reservoir (Clark Fork River)~~

- ~~Extended season for northern pike from December 1 to third Saturday in May, with artificial lures only.~~
- ~~Northern pike: no limit~~

Rationale: Changes made to properly reflect changing conditions resulting from the removal of the Stimson Lumber Dam and Milltown Dam, and to keep people out of the work zone.

CHANGE- (page 28)

BLANCHARD LAKE (near Whitefish)

- ~~Catch-and-release for bass~~ **1 bass daily and in possession, must be over 22”.**
- Northern pike: 5 daily and in possession, 4 less than 28 inches and 1 greater than 36 inches.

Rationale: Blanchard Lake has been catch and release for bass to deal with impacts from illegal introduction. This will maintain recruitment but allow harvest of occasional trophy bass. Numerous anglers have requested to be allowed to harvest. Bass up to 24” have been caught and released.

CHANGE- (page 29)

CLARK FORK RIVER

Perkins Lane Bridge, near Warm Springs, to mouth of Flathead River

- *Closed to fishing from about 1/2 mile below Milltown Dam to about 2 1/2 miles above Milltown Dam, as posted.*
- Extended season for northern pike and whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- Catch-and-release for cutthroat trout.
- Combined Trout: 3 daily and in possession, none over 15 inches.
- Northern pike: no limit.
- Artificial lures only within a 100-yard radius of the mouths of Rattlesnake Creek, Petty Creek, Fish Creek, Cedar Creek, Dry Creek, Trout Creek and St. Regis River.

Rationale: Closure made to properly reflect changing conditions resulting from the removal of Milltown Dam, and to keep people out of the work zone.

Mouth of Thompson River to Idaho Border

- Open entire year.
- Western District Standard *Lake* Limits apply to entire reach.

Rationale: The word “lake” was inadvertently dropped 4 years ago. The intent was to standardize regulations between reservoirs and short river segments. Regulation worked well before the error. The same population of fish uses both river and reservoir sections.

DELETE- (page 33 and 37)

FISHER RIVER

- ~~Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and maggots only.~~

LIBBY CREEK

- ~~Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and maggots only.~~

Rationale: For both waterbodies, existing regulations are exceptions that add to complexity of regulations without adding much angler recreation. This will simplify and standardize regulations and enforcement within Western District. Use of this resource is quite low: Fisher River 2005: 41 angler days were during this extended season relative to 2052 total angler days for the year; 2003: 757 of 3989 angler days in winter; Libby Creek: 2005: 0 of 630 days in winter; 2003: 193 of 193 days in winter.

CHANGE- (page 33)

FLATHEAD LAKE

- Catch-and-release for cutthroat trout.
- Lake Trout: 50 daily and in possession, only 1 over 36 inches, and all fish 30 to 36 inches must be released.
- Hook and Line: up to 2 attended lines with no more than 2 hooks per line.
- A Flathead Indian Tribal Permit is required to fish on the southern half of the lake.
- ***Whitefish: 100 daily and in possession.***

Rationale: Statewide limits of whitefish were dropped from 100 daily and in possession to 20 daily and 40 in possession. In almost all instances this change affects harvest of mountain whitefish. This exception allows for continued harvest on the abundant lake whitefish population.

CHANGE- (page 34)

FLATHEAD RIVER

Confluence of North and Middle Forks to Flathead Lake

- Extended season open for whitefish and lake trout, and catch-and-release for other game fish, *except northern pike*, December 1 through the third Saturday in May with artificial lures and/or maggots only. ***Extended season for northern pike, December 1 through February 28, artificial lures only.***
- Catch-and-release for cutthroat trout.
- Combined trout: 5 daily and in possession.
- Lake trout: 15 daily and in possession.
- ***Whitefish: 100 daily and in possession.***

Rationale: FWP is trying to balance nonnative fish (pike, lake trout) with native fish (bull, westslope cutthroat trout). There is documented pike predation on native fish (angler catch data during pike food habits study). This change allows anglers to harvest pike they target or incidental to other species during closed season.

NEW- (page 34)

FRANK LAKE

- ***Catch and release for rainbow trout on the northwest ¼ of the lake, as posted, from March 15 to May 1.***

Rationale: Frank Lake is known for quality large trout. Adult rainbows congregate near the hatchery release site in spring, leading to concentrated harvest. This targets portion of lake where trout are concentrated, leaves some harvest opportunity in rest of lake.

NEW- (page 35)

HEIRONOMOUS POND

- *3 trout daily and in possession.*

Rationale: This regulation establishes a limited harvest of trout at a community fishing pond in Hamilton. Limited harvest will help insure that more people catch fish. The pond is stocked with trout. Supply of larger hatchery trout that anglers seek are in short supply, so continual stocking is not an alternative. The pond will not likely support smaller fish long enough for them to grow to desired size.

NEW- (page 35)

HOLLAND CREEK (mouth on Holland Lake upstream to Falls)

- *Closed entire year.*

Rationale: This stream section is the spawning area for a disjunct population of bull trout in Holland Lake. In the 1990's, this section averaged 20 redds, since 2000 it has averaged 9.4 bull trout redds. The stream is small so it is easy to poach spawning adults. Banning all fishing is the optimal way to eliminate poaching.

CHANGE- (page 35)

HORSESHOE LAKE (Thompson Chain of Lakes (TCL))

- Tiger muskellunge: 1 daily and in possession, must be over 40 inches.
- ~~Spearing: open for nongame fish~~

Rationale: The TCL Fisheries Management Plan calls for introducing tiger muskellunge to control nongame fish. Therefore, spearing is no longer needed and presents a potential enforcement problem with illegal spearing of tiger muskies. This will standardize Horseshoe Lake with other Region 1 waters (no spearing of nongame fish). It allows tiger muskies to perform biological control and produce a trophy fishery. Numerous violations with spearing have occurred in other waters, most recently at Lower Thompson Lake.

CHANGE- (page 36)

LAKE KOOCANUSA

- Closed to burbot (ling) fishing January 15 to March 1.
- Salmon: *50 35* daily and *100 70* in possession.
- Bull trout: no changes proposed.

Rationale: Kokanee are naturally reproducing. They are overabundant and spawning adults may only be 9"-10". This change lets anglers harvest surplus of salmon, and decreased densities may increase salmon growth.

CHANGE- (page 37)

LAKE MARY RONAN

- Closed to fishing from midnight to 3 a.m.
- Open third Saturday in May through the end of February.
- Open March 1 to third Saturday in May: yellow perch only.
- Salmon: 10 daily and 20 in possession.
- Bass: Closed March 1 to the third Saturday in May. *Third Saturday in May through June 30: 1 over 22 inches. July 1 through the end of February: 5 daily and in possession, only 1 over 12 inches.*

Rationale: Lake Mary Ronan has had a popular largemouth bass fishery. An illegal yellow perch introduction has severely impacted natural reproduction. This proposal reduces harvest on spawning size bass, but allows some harvest while attempting to increase natural recruitment. It is also standardized with some other Region 1 waters.

NEW- (page 37)

LITTLE BITTERROOT LAKE

- *Salmon: 20 daily and 40 in possession, no more than 10 daily and 20 in possession over 14 inches.*

Rationale: A small percent of Little Bitterroot kokanee have shifted to a Mysis diet and grow to 14"- 20", compared to 9"-10" in rest of population. It is not known if this is learned behavior or genetic. Anglers are targeting the larger salmon and over harvesting that component. This attempts to protect some salmon for spawning and quality.

CHANGE- (page 37)

LITTLE BLACKFOOT RIVER

- Extended whitefish season and catch and release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- *Catch and release for cutthroat trout.*

Tributaries to River

- *Catch and release for cutthroat trout.*

Rationale: The State's goal is to enhance or maintain westslope cutthroat trout (WCT) populations. WCT are very easy to catch and over harvest. WCT are still present in good numbers in the Little Blackfoot River and reduced harvest will protect current populations and may lead to increased numbers of WCT. The Little Blackfoot River is unique because it has some of the largest potential to support WCT in the Upper Clark Fork drainage because of its size. It may provide WCT to the Clark Fork River in the future provided adequate cleanup of the river occurs. The current regulation of 3 fish less than 10, while restrictive, does not insure the full protection capable for the important WCT populations in the Little Blackfoot River drainage.

CHANGE- (page 38)

MILLTOWN RESERVOIR

- *Closed to fishing from about 1/2 mile below Milltown Dam to about 2 1/2 miles above Milltown Dam, as posted.*

~~Milltown Dam to Stimson Lumber Weir (Blackfoot arm) and Milltown Dam to Milwaukee Bridge abutments (Clark Fork arm)~~

- ~~• Northern pike: no limit, extended season open December 1 to third Saturday in May with artificial lures only.~~
- ~~• Catch and release for cutthroat trout.~~
- ~~• Combined Trout: 3 daily and in possession, none over 15 inches.~~

Rationale: Changes made to properly reflect changing conditions resulting from the removal of Milltown Dam, and to keep people out of work zone.

NEW- (page 41)

TALLY LAKE

- *Lake trout: 1 daily and in possession, must be over 42 inches.*

Rationale: This is a small trophy fishery with many fish 20-30 years old. It is vulnerable to overfishing and loss of quality. This change allows for a limited harvest of trophy fish and maintains natural reproduction.

CHANGE- (page 42)

WARM SPRINGS WILDLIFE MANAGEMENT AREA (WMA)

Pond 3 (no changes proposed for any other areas)

- Open May 25 through ~~September 30~~ **November 30** to fishing from non-motorized vessels. ~~and from north and west dikes except where posted closed.~~

Rationale: September 30 closure was primarily for reducing the conflict between waterfowl hunters and anglers. FWP does not feel that this is an issue on this pond, unlike other ponds on the WMA. Access restriction is not needed since reconstruction of the ponds has made access possible and safe around the entire pond.

CENTRAL DISTRICT

CHANGE- (page 52)

CENTRAL DISTRICT STANDARD AND POSSESSION LIMITS

Whitefish – ~~20 100~~ daily **and 40** in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined.

CHANGE- (page 53)

ANTELOPE BUTTE LAKE aka Ostle Reservoir (Teton County)

- Open ~~third Saturday in~~ May 15 at 12:00 noon through November 30.

Rationale: This lake is located on the Blackleaf WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a

uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening Antelope Butte Lake to public fishing at this time would be consistent with the area closure on the Blackleaf WMA.

CHANGE- (page 56)

~~BIG HOLE RIVER AND TRIBUTARIES~~

~~Entire river and tributaries~~

- ~~• Catch and release for grayling and cutthroat trout~~

~~Entire river~~

- Extended season for whitefish and catch-and-release for trout open December 1 to the third Saturday in May with artificial lures and/or maggots only.
- Catch-and-release for grayling and cutthroat trout.
- All float users are limited to a total of 2 launches at or near each official access site each day. See Big Hole River map for official access sites.

Headwaters to Mudd Creek FAS

- Closed to float outfitting from the third Saturday in May through Labor Day.

Headwaters to Dickie Bridge

- *Combined trout limit, 5 daily and in possession (no size restriction).*

Big Hole River upstream of North Fork Big Hole River

- *Brook trout: open entire year.*

Mudd Creek FAS to Fishtrap FAS

- Closed to float outfitting on each Tuesday from the third Saturday in May through Labor Day.

Fishtrap FAS to East Bank BLM FAS

- Closed to float outfitting on each Thursday from the third Saturday in May through Labor Day.

East Bank BLM FAS to Jerry Creek FAS

- Closed to float outfitting on each Wednesday from the third Saturday in May through Labor Day.

~~Tributaries upstream from Divide Dam~~

- ~~• Brook trout: open entire year.~~

Dickie Bridge to Divide Bridge (Divide FAS)

- Artificial lures only.

Jerry Creek FAS to Divide FAS

- Closed to float outfitting on each Saturday from the third Saturday in May through Labor Day.

Divide Bridge (Divide FAS) to Melrose Bridges (Salmon Fly FAS)

- ~~• Combined Trout: 4 daily and in possession, includes 3 under 13 inches and 1 over 22 inches.~~
- Artificial lures only.
- Closed to float fishing by nonresidents and float outfitting on each Sunday from the third Saturday in May through Labor Day.

Melrose Bridges (Salmon Fly FAS) to Glen FAS

- Closed to float outfitting on each Monday from the third Saturday in May through Labor Day.

Glen FAS (bridges) to Notch Bottom FAS

- Closed to float outfitting on each Friday from the third Saturday in May through Labor Day.

Rationale: These changes are proposed to: A: simplify regulations and enforcement on this river. B: Eliminate unnecessary bag and length limits which constrain opportunity on what is an effectively a catch-and-release fishery. C: Liberalize fishing/harvest opportunity on non-native trout (which are potential competitors with and predators on grayling) in critical upper river habitats.

Brown and rainbow trout population data collected since 1981 that clearly demonstrate that the slot limit and artificial lures regulation between Divide and Melrose no longer results in any discernible difference in numbers of large trout between study sections with and without the restrictive regulations. The removal of the slot limit will also be of benefit for grayling conservation efforts as it will remove the basis for perception that non-native fishes in the Big Hole are being given protection (to the detriment of grayling) above that afforded by the standard regulations. However, the use of artificial lures only (in both the Dickie to Divide and Divide to Melrose stretches) has been retained in this proposal in order to recognize and preserve what has become a traditional use pattern and demand expressed by the public.

In the Grayling CCAA (Candidate Conservation Agreement with Assurances) reach (Big Hole River above Dickie Bridge) the proposed change also liberalizes harvest of large rainbow and brown trout beyond that allowed by the Standard Central District regulation. This is done mainly to address a trend we have detected toward more and bigger and brown trout present higher (in the upper river) in the river, which is not good for grayling in that reach.

NEW (page 57)

BIG HOLE RIVER TRIBUTARIES

- Catch-and-Release for grayling and cutthroat trout.

Tributaries upstream from Divide ~~Dam~~ **Bridge (Divide FAS)**

- Brook trout: open entire year.

Rationale: This clarifies and simplifies the regulations for Big Hole River tributaries.

CHANGE- (page 57)

BIGHORN LAKE AND AFTERBAY RESERVOIR

- Sauger/Walleye: 5 daily and 10 in possession (only 5-2 may be sauger). ~~All fish must be kept whole, gills and entrails may be removed, until you are off the water and done fishing for the day. See Standard Regulations for transport requirements.~~
- Catfish: 6 daily and in possession.
- ***Burbot: 3 daily and in possession.***
- ***Bass: 6 daily and 12 in possession.***
- Shovelnose sturgeon: 2 daily and in possession.
- Anglers obtaining live bait fish in Montana may use them only in the Montana portion of the lake.
- Hook and Line: 2 lines with 2 hooks per line on open water and 6 lines with 1 hook per line through the ice.

Rationale: Smallmouth bass have become the most abundant game fish in the reservoir. Additional harvest is desired to increase the average size of the bass and encourage sauger and walleye survival. Burbot are declining through most of their range in Montana. Wyoming Game and Fish has asked for additional protection for their last pure population of sauger.

The requirement for keeping fish whole will now be dealt with as part of the new statewide regulation on transporting fish.

CHANGE- (page 58)

BIGHORN RIVER

Entire River

- *A State of Montana fishing license is required for all anglers to fish on the Bighorn River within the boundaries of the Crow Reservation. A tribal permit is not required.*
- Open entire year.
- Sauger/Walleye: 5 daily, only 1 may be a sauger. Possession limit is 10, only 2 may be sauger. ~~All fish must be kept whole, gills and entrails may be removed, until you are off the water and done fishing for the day. See Standard Regulations for transport requirements.~~

Afterbay Dam to cable 600 feet downstream and downstream from Bighorn FAS

- ~~Open entire year.~~
- ~~Combined Trout: 5 daily and in possession, only 1 over 18 inches and only 1 rainbow trout.~~
- May use live nongame bait fish (as identified in standard district regulations).

Cable 600 feet below Afterbay Dam to Bighorn FAS

- ~~Open entire year.~~
- ~~Combined Trout: 5 brown daily and in possession, only 1 over 18 inches. Catch and release for rainbow trout, except anglers 14 years of age and younger may take 1 rainbow trout daily and in possession, any size.~~
- Artificial lures only

Rationale: This regulation would allow the relatively few anglers interested in harvesting trout to take some home. Fish badly scarred or mortally wounded could be removed by anglers rather than be released to die. When the current regulation was adopted, brown trout outnumbered rainbow trout by 9 to 1 in the section from the Afterbay to Bighorn Access. Now these trout are found in nearly equal proportion.

The new language relative to the Bighorn River license requirements is included because the public has expressed confusion over the matter.

The requirement for keeping fish whole will now be dealt with as part of the new statewide regulation on transporting fish.

CHANGE- (page 59)

BOULDER RIVER AND TRIBUTARIES (near Big Timber)

Entire river and tributaries

- No changes proposed.

~~Natural Bridge to Two-Mile Bridge (first crossing, 5 road miles upstream from Natural Bridge).~~

- ~~• Catch and release for rainbow trout, except anglers 14 years of age and younger may take 1 rainbow trout daily and in possession, any size.~~
- ~~• Artificial lures only.~~

Rationale: The catch-and-release restriction was originally imposed upon the section from Natural Bridge to Two-Mile Bridge to protect trout within a known spawning area on the Boulder River. The Boulder River Ranch was then a dude ranch that attracted many anglers. It has since been sold to private landowners, and fishing pressure has declined. Also, trout populations appear to be in good condition.

~~DELETE- (page 59)~~

~~**BUFFALO CREEK (fork of Slough Creek)**~~

- ~~• Combined trout: 5 daily and in possession, includes up to 3 cutthroat trout (none over 12 inches), only 1 rainbow trout over 18 inches.~~

Rationale: This change would better protect the native Yellowstone cutthroat trout and encourage harvest of non-native rainbow trout. It changes the harvest emphasis. Chemical or mechanical removal would be effective but expansive. Total eradication of rainbow trout is not immediately necessary. Native species recovery is being emphasized, especially within wilderness areas. The Yellowstone cutthroat trout has previously been petitioned for listing as a threatened species.

~~CHANGE- (page 59)~~

~~**CLARK CANYON RESERVOIR**~~

- ~~• Combined trout: 3 \geq daily and in possession, any size *only one over 23 inches*.~~
- ~~• Burbot (ling): 3 \geq daily and in possession, *only one over 28 inches*.~~

Rationale: Improved reservoir storage pools and high numbers of smaller rainbow and brown trout in 2006 and 2007 net samples merit some relaxation of drought-based regulations for trout. In response to public demand for increased trout harvest opportunity AND for increased trophy trout opportunity, a limit of one trout over 23 inches as part of a 3 trout daily bag is warranted. In response to increased angling pressure on burbot, new data on burbot populations and public demand and conservation need for trophy sized fish, and, a limit of one burbot over 28 inches as part of a 3 burbot daily bag is warranted.

~~DELETE- (page 60)~~

~~**CULVER POND aka Widow's Pool (Beaverhead County)**~~

- ~~• Open July 15-September 30.~~
- ~~• Brook trout: 5 daily and in possession, 4 under 12 inches and 1 over 18 inches.~~
- ~~• Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize native species management for waters on the refuge. The current restrictions are contrary to this management direction. The change simplifies the regulations while meeting the management direction of the Red Rocks NWR.

CHANGE- (page 60)

DARLINGTON DITCH aka Darlington Spring Creek (near Three Forks)

On Cobblestone FAS

- ~~Closed to fishing from a point 500 yards above the northern boundary of Cobblestone FAS, as posted, downstream approximately 1.5 miles, as posted.~~
- Open entire year. ~~except the section closed to fishing at Cobblestone FAS.~~
- Catch-and-release for trout.
- Artificial lures only.

Entire ditch outside of Cobblestone FAS

- Open entire year.

Rationale: Preliminary evidence exists to suggest that New Zealand Mudsnaills (NZMS) in this reach of Darlington Ditch are much less prevalent than at the time the regulation was put into place in about 2000. Furthermore at that time this was the only known location of NZMS in Montana outside of Yellowstone National Park. Since then NZMS has been found in a number of other MT. streams and locations, none of which have restrictions on angling for that reason. The most recent field surveys conducted by FWP Aquatic Nuisance Species (ANS) staff in summer 2007 showed low abundance of the snail in the Ditch, at densities similar to those found in the Madison River adjacent to but slightly upstream of the Ditch.

CHANGE- (page 60)

DICKENS LAKE (Sun River WMA)

- Open ~~third Saturday~~ in **May 15 at 12:00 noon** through November 30.

Rationale: This lake is located on the Sun River WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening this lake to public fishing at this time would be consistent with the area closure on the Sun River WMA.

CHANGE- (page 62)

HAUSER RESERVOIR

Including Canyon Ferry Dam tailwater and Lake Helena

- ~~Closed to fishing from midnight to 3 a.m.~~
- Yellow perch: 50 daily and no possession limit.
- Walleye: 10 daily, only 1 over 28 inches. **Possession limit is twice the daily limit.**
- Combined Trout and Salmon: 5 trout and salmon daily in any combination and 10 trout and salmon in possession in any combination. Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want

fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3 am. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoir Management Plan in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

CHANGE- (page 62)

HOLTER RESERVOIR

Up to American Bar Gulch (approx. 4.6 miles downstream from Hauser Dam)

- ~~Closed to fishing from midnight to 3 a.m.~~
- Open entire year.
- Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Combined Trout and Salmon: 5 rainbow trout and salmon daily in any combination and 10 rainbow trout and salmon in possession in any combination.
- Walleye: 6 daily, includes 5 under 20 inches and 1 over 28 inches. ***Possession limit is twice the daily limit***
- Yellow perch: 50 daily and no possession limit.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing the time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3am. Anglers have been contacting FWP for years to eliminate this regulation. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoirs Management Plan in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

CHANGE- (page 63)

LAKE HELENA

- ~~Closed to fishing from midnight to 3 a.m.~~
- Catch and release for brown trout, except anglers 14 years of age and younger may take 1 brown trout daily and in possession, any size.
- Combined Trout and Salmon: 5 trout and salmon daily in any combination and 10 trout and salmon in possession in any combination.
- Walleye: 10 daily, only 1 over 28 inches. ***Possession limit is twice the daily limit***
- Yellow perch: 50 daily and no possession limit.
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

Rationale for removing the time restriction: This regulation was instituted in the late 1980's – early 1990's due to perceived kokanee salmon over harvest. Creel data showed that over harvest was not occurring. This became a social issue for shoreline homeowners that did not want fishing to occur in the middle of the night. Currently, anglers can fish until midnight and resume fishing at 3am. Anglers have been contacting me for years to eliminate this regulation. Walleye advocates and general anglers will support this change.

Rationale for walleye changes: Since writing the Upper Missouri River Reservoirs Management Plan (MRRMP) in 2000, walleye have consistently met or exceeded the management target of 2-3 walleye per net. Increased walleye densities have upset the predator/prey balance of the reservoir and made management of the multispecies fishery, as mandated in the Plan, (rainbow trout, yellow perch and kokanee salmon) nearly impossible.

DELETE- (page 66)

~~McDONALDS POND (Beaverhead County)~~

- ~~• Open July 15-September 30.~~
- ~~• Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR, and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize on native species management for lands and waters on the refuge. These restrictions are contrary to this management direction. It simplifies the regulations while meeting the needs and management direction of the Red Rocks NWR.

CHANGE- (page 68)

OSTLE RESERVOIR aka Antelope Butte Lake (Teton County)

- Open ~~third Saturday in~~ *May 15 at 12:00 noon* through November 30.

Rationale: This lake is located on the Blackleaf WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening Antelope Butte Lake to public fishing at this time would be consistent with the area closure on the Blackleaf WMA.

CHANGE- (page 69)

RUBY RIVER AND TRIBUTARIES

Upstream from Ruby Reservoir

- Combined trout: includes cutthroat trout except catch-and-release for cutthroat trout in Cottonwood (near Cottonwood Camp), Geyser, *Greenhorn*, Idaho, Robb, Sweetwater and Whitebear creeks.

Downstream from Ruby Dam

- Closed entire year just below Ruby Dam (that portion of the Ruby River from its confluence with the Ruby Dam outlet channel upstream of the dam, including the outlet channel).

- Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.
- ~~Combined trout: 3 daily and in possession, only 1 over 15 inches.~~

Rationale: The exceptions for cutthroat harvest in the Upper Ruby are for streams where populations of pure-strain cutthroat have been found and where harvest is not desirable. The addition of Greenhorn Creek to this list is based on new genetics test results that show these fish to be pure strain.

The restrictive limit combined trout limit (3 fish, only 1 over 15 inches) was placed in anticipation that public access to the lower Ruby would adversely affect brown trout populations under the Central District limit (5 fish, only 1 over 18 inches). Intensive population monitoring since public access was established has demonstrated that trout populations fluctuate with natural population dynamics and habitat conditions and have not been adversely affected by angler harvest.

CHANGE- (page 70)

SILVER CREEK aka D2 Ditch (tributary to Prickly Pear Creek)

Downstream from I-15 bridge near Helena

- Open third Saturday in May through Labor Day.

~~From Gold Sil Mine to Green Meadow Drive, near Marysville~~

- ~~Catch and release for all fish species. Fish consumption advisory in effect for this section of Silver Creek.~~

Rationale: The original fish consumption advisory in 1995 was based on very high levels of mercury contamination in cutthroat trout. Repeated sampling of this species in recent years has shown that mercury levels have decreased substantially, eliminating the need for this special regulation.

CHANGE- (page 72)

SWAZEE LAKE (Sun River WMA)

- Open ~~third Saturday in~~ **May 15 at 12:00 noon** through November 30.

Rationale: This lake is located on the Sun River WMA, which has an area closure from December 1 through May 15. Beginning May 15, 2007, the Wildlife Division is implementing a uniform opening time of 12:00 noon for public entry to the Sun River, Ear Mountain, and Blackleaf WMA on the Rocky Mountain Front. Opening this lake to public fishing at this time would be consistent with the area closure on the Sun River WMA.

DELETE- (page 73)

WIDOW'S POOL aka Culver Pond (Beaverhead County)

- ~~Open July 15-September 30.~~
- ~~Brook trout: 5 daily and in possession, 4 under 12 inches and 1 over 18 inches~~
- ~~Artificial lures only.~~

Rationale: This pond is on Red Rocks NWR, and the regulation was put in place to provide and enhance sport fisheries for non-native fish (primarily rainbow and brook trout). The USFWS is in a planning process that will prioritize on native species management for lands and waters on the refuge. These restrictions are contrary to this management direction. It simplifies the regulations while meeting the needs and management direction of the Red Rocks NWR.

CHANGE- (page 74)

YELLOWSTONE RIVER

Yellowstone National Park Boundary to I-90 Bridge at Billings

- Open entire year.

~~Yellowstone National Park Boundary to Highway 78 Bridge at Columbus~~

- ~~• Catch and release for cutthroat trout.~~

Yellowstone National Park Boundary to Emigrant Bridge

- ***Combined trout: 4 brown and/or rainbow trout daily and in possession, only 1 over 18 inches.***

Emigrant Bridge to Pine Creek Bridge

- ~~• Extended season for whitefish and catch and release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.~~
- ***Combined trout: 4 brown and/or rainbow trout daily and in possession, includes 4 under 13 inches and only 1 over 18 inches.***

Pine Creek Bridge to I-90 Bridge at Billings

- ***Combined trout: 4 brown and/or rainbow trout daily and in possession, only 1 over 18 inches.***

~~Highway 78 Bridge at Columbus to I-90 Bridge at Billings~~

- ~~• Combined trout: includes cutthroat trout.~~

Mouth of Clarks Fork River to I-90 Bridge at Billings

- Hook and Line: 2 lines with 2 hooks per line all year.

Rationale: Concerns of anglers and the FWP Commission that harvest of trout on the Yellowstone River may be adversely impacting trout populations prompted this proposed change to reduce harvest of trout on the Yellowstone River in the Central Fishing District. The removal of the regulation providing for harvest of cutthroat trout below Columbus is due to the fact that these fish were stocked in this stretch of river from 2001-2005. Stocking has now ceased and cutthroat are in very low abundance in this section. Without this regulation, the need for the catch and release designation from the Park to Columbus is unnecessary because the district-wide regulation will apply to the entire river.

EASTERN DISTRICT

NEW- (page 77)

Eastern Fishing District

Fort Peck Reservation- Tribal Boundary Waters

Non-tribal members licensed through the State of Montana and/or the Fort Peck Tribes that are fishing in waters that form the exterior boundaries of the Reservation -- Big Muddy Creek, Missouri River and/or Milk River -- are permitted to harvest the following limits:

<i>Burbot (Ling)</i>	<i>5 daily and in possession</i>
<i>Catfish</i>	<i>20 daily and in possession</i>
<i>Northern Pike</i>	<i>10 daily and in possession</i>
<i>Paddlefish</i>	<i>1 daily and in possession</i>
<i>Sauger/Walleye</i>	<i>5 daily and 10 in possession</i>
<i>Pallid Sturgeon</i>	<i>0 (endangered)</i>
<i>Shovelnose Sturgeon</i>	<i>5 daily and in possession</i>

These harvest limits cannot be exceeded, even if the angler possesses both tribal and state licenses, and fishes on and/or off the reservation on the same day.

Non-tribal members licensed through the State of Montana and/or the Fort Peck Tribes, that are fishing in exterior boundary waters -- Big Muddy Creek, Missouri River and/or Milk River -- are limited to a maximum of 6 lines with 6 hooks per line. Unattended lines are required to be identified with the angler's name and/or license number. Setlines shall not be attached to jugs or floating devices.

Rationale: This added regulation is needed to close a possible loophole concerning non-tribal members using two legally purchased licenses (State of Montana and Fort Peck Tribes) to harvest two limits. The minimum harvest limit from each agency is now the limit for the specified waters. This added regulation is needed to close a possible ambiguity concerning non-tribal members using two legally purchased licenses (State of Montana and Fort Peck Tribes) from taking two limits and using methods of catching fish which could add additional harvest.

Pallid sturgeon are endangered and harvest must be maintained at zero. Paddlefish are species of special concern and overharvest must be kept to a minimum. Other native fish populations must also be protected from overharvest to help prevent them from being listed as species of special concern, or listed as threatened or endangered. This regulation will afford protection to introduced game fish populations from over harvest as well.

CHANGE- (page 78)

Warm Water Game Fish Stamp

Add the following waters to the list of waters requiring the stamp.

- *Drag Reservoir, Petroleum Co.*
- *Nelson Reservoir (Benes Reservoir), Fergus Co.*
- *Whisker Reservoir, Fergus Co.*

Rationale: These are additional lakes that FWP currently stocks with warm-water species and plans to continue stocking in the future. Note: The 2007 Legislature passed law that requires that anyone fishing these waters must purchase a Warm Water Stamp. This change will be made to the 2008 regulation booklet.

CHANGE- (page 79)

Hoop Nets -- Region 5, 6 and 7 hoop net rules:

A permitted individual is authorized to take fish with hoop nets according to the following rules:

1. Size and construction of hoop nets: Nets must not be more than 10ft long and 3ft wide. No leads or wings permitted. Wire traps are prohibited.
2. Tags: Hoop net must be marked with a tag showing *the permit number as well as the angler's name, and phone number or 9/10 digit ALS number.*
3. Tending Hoop Nets: Hoop nets must be checked and emptied at least every 48hrs.
4. Unauthorized Use: No person may use or tend hoop nets of another person.
5. Season/Open Areas: Hoop nets may be used to take ~~nongame fish~~, catfish, *smallmouth buffalo, river carpsucker, goldeye, white sucker, carp* ~~ling and shovelnose sturgeon~~ in the Yellowstone downstream from the mouth of the Bighorn; In the Milk downstream from the Hwy 2 bridge below Dodson Dam; and in the Missouri downstream from the mouth of the Milk, except: closed statewide March 1 thru May 15, and for 200 yards downstream from all irrigation diversion dams.
6. Daily/Possession Limit: 20 catfish, ~~ling 5, shovelnose sturgeon 5, nongame no limit.~~ *smallmouth buffalo, river carpsucker, goldeye, white suckers, carp, 10 in any combination.* All other species must be released.
7. ~~—Voluntary~~ **Mandatory** Report: Permittee is asked to assist the department in evaluating fish populations and fishing regulations. *required to submit a report of catfish and other approved fish taken by hoop net during the past season by ~~October~~ November 1.* The department asks *requires* you to record the dates of fishing and *number of various* fish species captured and released, *and the number of catfish and other approved fish you harvested.* A data form is provided. ~~Please return the data form to FWP when you have finished netting for the year.~~ *Your completed data form must be returned to FWP by ~~October~~ November; if it is not, you will not be issued a hoop net permit for the following year; be eligible for a permit in future years.*

Rationale: To address concerns that hoop netters may be harvesting ling and sturgeon, the reporting limits are being tightened up so that we can collect better information to evaluate the situation. These rules are not in the Fishing Regulation Booklet, but are available at the Regional Offices where permits are obtained.

CHANGE- (page 81)

Bait Regulations

Live Bait

- Nongame fish that may be used as live bait in the Eastern District include all nongame species except black bullheads, bluegill, carp, goldfish, green sunfish, pumpkin seed, rainbow smelt, sculpins, stonecats, ~~and~~ yellow bullheads, *shortnose gar, sturgeon chub, sicklefin chub, Northern redbelly dace, blue sucker and pearl dace.*
- Live nongame fish may be used as bait only in the following waters: **Rivers and Streams – no changes proposed**

Lakes, Reservoirs, Ponds and Impoundments

Make the following additions and deletions to the list:

- *Custer County – Haughan Pond*
- ~~Dawson County – Lee (Sam) Reservoir~~
- ~~Rosebud County – Schlesinger Perch Pond~~
- ~~Wibaux County – Lane Deer Pond~~
- *Wibaux County – Wibaux Pond*

Rationale: Many of our species of special concern are susceptible to bait collection in the Yellowstone and Missouri Rivers. It is unknown how many sicklefin chub, sturgeon chub or juvenile blue suckers are used as bait but our current regulations allow for all nongame species excluding the listed few. Adding the two chub species and the others may make people identify their bait catch.

Rationale: These ponds are being managed in a manner that allows for the use of bait at these waters. The ponds being removed from the list are ponds that have been removed from our management programs. The use of bait in these ponds is appropriate and will not have an impact on the fishery. The ponds being dropped from the list are either ponds that we no longer manage or that the landowners have requested be removed from FWP management.

CHANGE- (page 83)

EASTERN DISTRICT STANDARD AND POSSESSION LIMITS

Whitefish – ~~20~~ 40 daily *and* 40 in possession.

Rationale: There is mounting evidence that some Mountain whitefish populations are suffering from drought and/or the effects of Whirling Disease. In many cases numbers appear to be down and fish size up, indicating recruitment problems. By significant reduction in the bag limit, the importance of this native sport fish can be emphasized while giving it some additional harvest protection. Harvest opportunity would still be ample for those anglers so inclined.

CHANGE- (page 84)

FORT PECK DREDGE CUTS (West of park Grove Bridge and Nelson Dredge)

- Bow and Arrow: open July ~~15~~ *I* through August 31 for paddlefish. 1 paddlefish per angler. An unused blue paddlefish tag is required to fish for paddlefish.

Rationale: Public had asked that paddlefish archery season begin earlier than July 15 in Fort Peck Dredge Cuts (in 2007 fish regulations, season runs from July 15 – August 31. Extending the season from July 1- August 31 will provide longer period for sports persons to harvest paddlefish without negatively impacting paddlefish population. In a typical year, paddlefish seldom appear in the Fort Peck Dredge Cut area before July15, therefore an increase in harvest by this method is unlikely to occur.

CHANGE- (pages 85, 86, 87 and 88)

PADDLEFISH REGULATIONS (MISSOURI RIVER and YELLOWSTONE RIVER)

Special Paddlefish Regulations

Daily and Possession Limits

1 paddlefish per season per angler. Anglers may select from only one of the following areas, *and may only fish in the area selected:*

- Upper Missouri River, upstream from Fort Peck Dam to Fort Benton-white tag.

- Yellowstone River or Lower Missouri River downstream from Fort Peck Dam-yellow tag.
- Fort Peck Dredge Cuts (west of Park Grove Bridge and Nelson Dredge) on the lower Missouri River-blue tag.

Rationale: Anglers have been confused about whether they were restricted in their catch-and-release fishing to the area where their harvest is allowed. This change clarifies that anglers are only allowed to fish in the one area that they purchased a harvest tag.

General Paddlefish Regulations for ALL Areas

- Each angler must cast for, hook and reel in his or her own paddlefish. It is unlawful for another person to do so. It is illegal to loan tags or to use another' angler's tag.
- ***Hook size is limited to 8/0 and smaller for all paddlefishing.***
- **~~Catch-and-Release Days:~~** It is unlawful to release paddlefish except on designated catch and release days during the ***regular*** open season paddlefish season. All paddlefish must be released on Sundays, Mondays and Thursdays during the ***regular*** season. Evidence of ***the appropriate*** current year paddlefish tag must be in possession to fish for paddlefish. Gaffs may not be used to land a paddlefish on catch and release days.
- **~~Harvest Days:~~** Anglers must have a valid (unused) paddlefish tag in their possession to harvest a paddlefish. (Tuesdays, Wednesdays, Fridays and Saturdays) On paddlefish harvest days during the open paddlefish season, anglers must tag a paddlefish immediately when they land it. It is unlawful to release snagged paddlefish except on catch and release days. Once the tag has been validated, anglers may not snag for paddlefish except on catch and release days.
 - ~~Anglers must immediately tag paddlefish with their own tag.~~
- Gaffs, no longer than 4.5 feet in length may be used to land a paddlefish that will be tagged. Gaffs may not be used to land a paddlefish that will be released.
- Any tag locked shut prior to attachment to a paddlefish shall be void. Voided tags are not replaceable.
- It is unlawful to possess an untagged paddlefish or part of one. If anglers cut up a paddlefish, they must keep the part of the back dorsal fin (back fin) where the tag is attached and sealed to the fish.
- Tags must remain with processed fish until consumption.
- ***When a paddlefish is captured and tagged, the fish must be removed from the river by the end of the day, 9:00p.m.***

Rationale: Larger hooks have been observed to do considerable damage to the paddlefish, and are not needed to catch a paddlefish. The public expressed a desire to eliminate the catch-and-release fishing days for paddlefish on the Missouri River above Fort Peck Dam and to return to the “old” way of doing things. These changes are part of that effort to restructure the paddlefish regulations in general.

CHANGE- (page 85)

MISSOURI RIVER

Upstream from Fort Peck Dam to Fort Benton

- *The paddlefish fishery is managed under an annual harvest target not to exceed 500 fish. FWP may close the harvest season within 24 hours notice in any year if it appears that the harvest target may be exceeded. Catch-and-release fishing would continue for the duration of the season. Call the Glasgow FWP office at 406-228-3700 for current information on harvest status.*
- ~~Paddlefish snagging: open entire year~~ ***to harvesting paddlefish from May 1 to June 15 (unless closed earlier by FWP) from 6AM to 9PM daily. 1 paddlefish per angler.*** An unused white paddlefish tag is required to harvest a paddlefish. ~~on Tuesdays, Wednesdays, Fridays or Saturdays. The tag must be properly placed on the first paddlefish caught and landed. It is unlawful to release a paddlefish except on catch-and-release days.~~ ***All paddlefish captured must either be tagged and kept, or released immediately. Gaffs may be used to harvest a paddlefish but not for fish that will be released.*** See Eastern District Standard Regulations for additional important paddlefish information.
- ~~Catch-and-release: all paddlefish must be immediately released on Sundays, Mondays, and Thursdays during the season.~~ snagging for paddlefish is allowed from May 1 to June 15. Proof of purchase of a ***white*** paddlefish tag on your fishing license is required for catch-and-release fishing. ***All paddlefish must be released immediately and may not be gaffed or lifted out of the water. Captured fish must remain at least partially submerged in water at all times.***

Rationale: FWP estimates the Upper Missouri River paddlefish population to be about 20,000 adult fish. The population is relatively old, with poor survival of eggs and fry in recent years because of low reservoir levels in Ft. Peck and inadequate spring runoff for successful spawning. A sustainable annual harvest of this population is estimated to be 500 fish. Current regulations allow unlimited harvest and year-round fishing which has led to over 1,000 fish being harvested in a single year as recently as 2006. To remedy this potential for over-harvest of paddlefish, FWP recommends an annual harvest quota of 500 fish and a limited season of May 1-June 15. This quota gives FWP the tools necessary to monitor the harvest and close the season early if necessary to protect the paddlefish population. A short season during the period when the bulk of harvest occurs is the only practical and economical way to monitor the harvest.

Based on public input, the Commission agreed to consider eliminating the requirement to tag the first fish caught and to eliminate the specifically designated catch-and-release days for the Missouri River above Fort Peck Dam.

Downstream from Fort Peck Dam

- Snagging: no changes proposed.
- The paddlefish fishery is managed under a harvest target in conjunction with North Dakota so that annual harvest will not exceed 1000 fish. FWP may close the season within 24 hours notice in any given year if it appears that the harvest target may be exceeded. Call the Miles City FWP office at 406-234-0900 for current information on harvest status.
- Paddlefish Snagging: open Tuesdays, Wednesdays, Fridays and Saturdays from May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. 1 paddlefish tag per angler. An unused yellow paddlefish tag is required to ***harvest a fish for*** paddlefish. The tag must be properly placed on the first paddlefish caught and landed. ~~All paddlefish caught on Sundays, Mondays and Thursdays throughout the season must~~

~~be immediately released. Proof of purchase of a paddlefish tag on your fishing license is required to fish on catch and release days and use of gaffs is prohibited. See Eastern District Standard Regulations for additional important information.~~

- ***Catch-and-Release snagging for paddlefish is not permitted.***

Rationale: Limiting catch-and-release to the Intake FAS is necessary to better manage this activity. Intake is the main location for catch-and-release fishing.

CHANGE-(page 86)

YELLOWSTONE RIVER

- The paddlefish fishery is managed under a harvest target in conjunction with North Dakota so that annual harvest will not exceed 1000 fish. FWP may close the season within 24 hours notice in any given year if it appears that the harvest target may be exceeded, and/or immediately at the Intake FAS (***Intake Diversion downstream to Cottonwood Creek***) when 800 paddlefish have been harvested at Intake. ~~Catch and release would continue to be allowed through June 30 on Sundays, Mondays and Thursdays.~~ Call the Miles City FWP office at 406-234-0900 for current information on harvest status.

Downstream from the mouth of the Bighorn River, *not* including Intake Fishing Access Site

- Snagging: no changes proposed.
- Paddlefish Snagging: open Tuesdays, Wednesdays, Fridays and Saturdays from May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. ~~1 paddlefish tag per angler.~~ An unused yellow paddlefish tag is required to **harvest a fish for** paddlefish. The tag must be properly placed on the first paddlefish caught and landed. ~~All paddlefish caught on Sundays, Mondays and Thursdays throughout the season must be immediately released. Proof of purchase of a paddlefish tag on your fishing license is required to fish on catch and release days and use of gaffs is prohibited. See Eastern District Standard Regulations for additional important information.~~
- ***Catch-and-Release snagging for paddlefish is not permitted.***

Intake Fishing Access Site (*Intake Diversion downstream to Cottonwood Creek*)

- Paddlefish Snagging: open for harvesting paddlefish May 15 through June 30 from 6AM to 9 PM daily unless closed to harvest earlier by FWP. ~~1 paddlefish tag per angler.~~ An unused yellow paddlefish tag is required to harvest a paddlefish on Tuesdays, Wednesdays, Fridays or Saturdays. The tag must be properly placed on the first paddlefish caught and landed. It is unlawful to release paddlefish except on designated catch-and-release days during the open season for paddlefish. ~~Proof of purchase of a yellow paddlefish tag on your fishing license is required to fish on catch and release days and use of gaffs is prohibited.~~
- ***Catch -and-Release:*** All paddlefish must be released on Sundays, Mondays and Thursdays during the open season. Evidence of a current year **yellow** paddlefish tag must be in possession to fish for paddlefish. ***All paddlefish must be released immediately and may not be gaffed or lifted out of the water. Captured fish must remain at least partially submerged in water at all times. Following the harvest closure, catch and release will be allowed for 10 consecutive days or through June 30, whichever comes first.***

Rationale: The harvest season closure during the 2007 season occurred on Friday night at 6:20 pm. This closure created many unhappy people as our current regulations did not allow for harvest or C&R fishing at the Intake FAS until Sunday morning at 6 am. This rule change would allow anglers to C&R fish after the harvest closure but limits the available C&R time to 10 days following closure. Limiting catch-and-release to the Intake FAS is necessary to better manage this activity. Intake is the main location for catch-and-release fishing.

NEW- (page 84)

HOLLECKER LAKE

- ***Bass: Daily limit of 1 over 15 inches.***

Rationale: This regulation will allow for the retention of bass in this urban pond. Bass retention is needed to maintain predatory pressure on yellow perch stocks. Standard daily bag limits will facilitate the harvest and removal of bass from Hollecker Lake. Bass retention is needed to ensure success of the fish management plan for this urban pond.
